

## PCT COOPERATION TREATY

572

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF ELECTION  
(PCT Rule 61.2)

To:

Commissioner  
US Department of Commerce  
United States Patent and Trademark  
Office, PCT  
2011 South Clark Place Room  
CP2/5C24  
Arlington, VA 22202  
ETATS-UNIS D'AMERIQUE  
in its capacity as elected Office

Date of mailing (day/month/year) 21 November 2000 (21.11.00)
International application No. PCT/EP00/02673
International filing date (day/month/year) 24 March 2000 (24.03.00)

Applicant's or agent's file reference  
N1494-PCT  
Priority date (day/month/year)  
01 April 1999 (01.04.99)

Applicant FAUCONNIER, Denis
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1. The designated Office is hereby notified of its election made:

in the demand filed with the International Preliminary Examining Authority on:

24 October 2000 (24.10.00)

in a notice effecting later election filed with the International Bureau on:

2. The election  was  
 was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Facsimile No.: (41-22) 740.14.35

Authorized officer

Olivia TEFY

Telephone No.: (41-22) 338.83.38

EP0002673

## PATENT COOPERATION TREATY

497

From the INTERNATIONAL BUREAU

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NOTIFICATION OF ELECTION  
(PCT Rule 61.2)

To:

Commissioner  
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United States Patent and Trademark  
Office, PCT  
2011 South Clark Place Room  
CP2/5C24  
Arlington, VA 22202  
ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 03 November 2000 (03.11.00)	To:
International application No. PCT/DE00/00635	Applicant's or agent's file reference 99P1507P
International filing date (day/month/year) 01 March 2000 (01.03.00)	Priority date (day/month/year) 25 March 1999 (25.03.99)
Applicant RAAF, Bernhard	

1. The designated Office is hereby notified of its election made:

in the demand filed with the International Preliminary Examining Authority on:

01 September 2000 (01.09.00)

in a notice effecting later election filed with the International Bureau on:

\_\_\_\_\_

2. The election  was

was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Maria Kirchner
Facsimile No.: (41-22) 740.14.35	Telephone No.: (41-22) 338.83.38

## PATENT COOPERATION TREATY

572

PCT

NOTIFICATION OF THE RECORDING  
OF A CHANGE(PCT Rule 92bis.1 and  
Administrative Instructions, Section 422)

Date of mailing (day/month/year) 20 March 2001 (20.03.01)	To:  BIRD, William, Edward Bird Goën & Co. Vilvoordsebaan 92 B-3020 Winksele BELGIQUE
Applicant's or agent's file reference N1494-PCT	<b>IMPORTANT NOTIFICATION</b>
International application No. PCT/EP00/02673	International filing date (day/month/year) 24 March 2000 (24.03.00)

1. The following indications appeared on record concerning:

the applicant  the inventor  the agent  the common representative

Name and Address NORTEL MATRA CELLULAR 1, place des Frères Montgolfier F-78928 Guyancourt Cédex 9 France	State of Nationality FR	State of Residence FR
	Telephone No.	
	Facsimile No.	
	Teleprinter No.	

2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

the person  the name  the address  the nationality  the residence

Name and Address NORTEL NETWORKS LIMITED World Trade Center 8th Floor 380 St. Antoine Street West Montreal Québec H2Y 3Y4 Canada	State of Nationality CA	State of Residence CA
	Telephone No.	
	Facsimile No.	
	Teleprinter No.	

3. Further observations, if necessary:

4. A copy of this notification has been sent to:

<input checked="" type="checkbox"/> the receiving Office	<input type="checkbox"/> the designated Offices concerned
<input type="checkbox"/> the International Searching Authority	<input checked="" type="checkbox"/> the elected Offices concerned
<input checked="" type="checkbox"/> the International Preliminary Examining Authority	<input type="checkbox"/> other:

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer  Peggy Steunenberg Telephone No.: (41-22) 338.83.38
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## TENT COOPERATION TREATY

09/9375/2  
PCTNOTIFICATION OF THE RECORDING  
OF A CHANGE(PCT Rule 92bis.1 and  
Administrative Instructions, Section 422)

Date of mailing (day/month/year) 27 September 2001 (27.09.01)
Applicant's or agent's file reference N1494-PCT
International application No. PCT/EP00/02673

From the INTERNATIONAL BUREAU

To:

BIRD, William, Edward  
Bird Goen & Co.  
Vilvoordsebaan 92  
B-3020 Winksele  
BELGIQUE

## IMPORTANT NOTIFICATION

International filing date (day/month/year)  
24 March 2000 (24.03.00)

## 1. The following indications appeared on record concerning:

the applicant  the inventor  the agent  the common representative

Name and Address NORTEL NETWORKS LIMITED World Trade Center 8th Floor 380 St. Antoine Street West Montreal Québec H2Y 3Y4 Canada	State of Nationality CA	State of Residence CA
Telephone No.		
Facsimile No.		
Teleprinter No.		

## 2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

the person  the name  the address  the nationality  the residence

Name and Address NORTEL NETWORKS LIMITED 2351 Boulevard Alfred-Nobel St. Laurent Quebec, H4S 2A9 Canada	State of Nationality CA	State of Residence CA
Telephone No.		
Facsimile No.		
Teleprinter No.		

## 3. Further observations, if necessary:

## 4. A copy of this notification has been sent to:

the receiving Office  the designated Offices concerned  
 the International Searching Authority  the elected Offices concerned  
 the International Preliminary Examining Authority  other:

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer Anman QIU Telephone No.: (41-22) 338.83.38
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PATENT COOPERATION TREATY  
**PCT**  
**INTERNATIONAL PRELIMINARY EXAMINATION REPORT**

REC'D 05 APR 2001  
 WIPO PCT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference <b>N1494-PCT</b>	<b>FOR FURTHER ACTION</b> <span style="float: right;">See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)</span>	
International application No. <b>PCT/EP00/02673</b>	International filing date (day/month/year) <b>24/03/2000</b>	Priority date (day/month/year) <b>01/04/1999</b>
International Patent Classification (IPC) or national classification and IPC <b>H04Q7/38</b>		
Applicant <b>NORTEL MATRA CELLULAR et al.</b>		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 6 sheets, including this cover sheet.

This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I  Basis of the report
- II  Priority
- III  Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV  Lack of unity of invention
- V  Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI  Certain documents cited
- VII  Certain defects in the international application
- VIII  Certain observations on the international application

Date of submission of the demand <b>24/10/2000</b>	Date of completion of this report <b>02.04.2001</b>
Name and mailing address of the international preliminary examining authority:  <b>European Patent Office  D-80298 Munich  Tel. +49 89 2399 - 0 Tx: 523656 epmu d  Fax: +49 89 2399 - 4465</b>	Authorized officer <b>Hodgins, W</b> Telephone No. +49 89 2399 8987



**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/EP00/02673

**I. Basis of the report**

1. This report has been drawn on the basis of (substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments (Rules 70.16 and 70.17).):

**Description, pages:**

1-19 as originally filed

**Claims, No.:**

1-17 as originally filed

**Drawings, sheets:**

1/6-6/6 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- the language of publication of the international application (under Rule 48.3(b)).
- the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- contained in the international application in written form.
- filed together with the international application in computer readable form.
- furnished subsequently to this Authority in written form.
- furnished subsequently to this Authority in computer readable form.
- The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- the description,      pages:
- the claims,      Nos.:

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/EP00/02673

the drawings,      sheets:

5.  This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)      Yes: Claims 1-17  
                      No: Claims

Inventive step (IS)      Yes: Claims 1-17  
                      No: Claims

Industrial applicability (IA)      Yes: Claims 1-17  
                      No: Claims

2. Citations and explanations  
**see separate sheet**

**VII. Certain defects in the international application**

The following defects in the form or contents of the international application have been noted:  
**see separate sheet**

**VIII. Certain observations on the international application**

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:  
**see separate sheet**

Concerning Point V

1) The following documents from the search report are cited:

D1: WO 99 09779 A (QUALCOMM INC) 25 February 1999 (1999-02-25)  
D2: WO 95 22857 A (MOTOROLA INC) 24 August 1995 (1995-08-24)

Additionally, US-A-5 625 876 mentioned in the description is cited as D3.

2) Independent claim 1 relates to a method of operating a telecommunications system in which mobile terminals may communicate with base station transceivers over an air interface, a communication to another terminal being supported in macro diversity by radio links between a plurality of base station transceivers and a mobile terminal.

Such methods are generally known in the art, for example from D2 or D3. A problem with such prior art methods is that it can be necessary to transmit new configuration parameters to each of the current base stations and the mobile terminal. Such a new configuration is not applied immediately, but after a certain pre-determined time. This delay is chosen so that on average the mobile terminal and the base stations will have sufficient time to reconfigure. This has the disadvantage that this time will normally be set conservatively, so the configuration will take longer than average.

The current application overcomes this problem (cf remaining features of claim 1) by waiting before implementation of the configuration change until an acknowledgement has been received from at least one base station transceiver in each of transmitting and receiving communication with the mobile terminal and from the mobile terminal itself.

This is neither known nor derivable from the prior art or its combinations. Claim 1 thus meets the requirements of Articles 33(1) - (4) PCT with regard to novelty, inventive step and industrial applicability.

3) Claim 9 relates for the apparatus category to method claim 1.

Claim 15 relates to the actual network element responsible for the update in system claim 9.

Claim 16 relates to a method of operating the element of claim 15.

Claim 17 relates to the mobile terminal.

These claims thus also meet the requirements of Articles 33(1) - (4) PCT with regard to novelty, inventive step and industrial applicability, essentially from the reasons set out above.

Similarly, owing to their dependencies on claims 1 and 9, dependent claims 2 - 8 and 10 - 14 also meet the requirements of Articles 33(1) - (4) PCT with regard to novelty, inventive step and industrial applicability.

### **Concerning Point VII**

- 1) The independent claims should have been put in the two part form recommended by Rule 6.3(b) PCT with a pre-characterising part reflecting the teachings of the closest prior art (eg D2 or D3).
- 2) In order to meet the requirements of Rule 6.2(b) PCT reference signs in parenthesis should be added to the claims. This applies both to the pre-amble and to the characterising part, and to method claims in as far as they refer to apparatus features.

### **Concerning Point VIII**

- 1) The mention of "spirit" or similar should have been deleted from page 19 of the description (cf. PCT Guidelines PCT/GL/3 III 4.3a).

Moreover, the mention to "incorporated herein by reference" on page 7 should also have been deleted from the description, since it adds nothing to the disclosure (cf. PCT Guidelines C II 4.17) and is thus clearly irrelevant (Rule 9.1(iv) PCT).

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

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International application No. PCT/EP00/02673

- 2) In order to meet the requirements of Rule 11.13 PCT, the applicant should have filed drawings with type written reference signs. Moreover, parts of figure 3c are hard to read (DPCCH), and should also have been clarified.

## PENT COOPERATION TREATY

## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>N1494-PCT</b>	<b>FOR FURTHER ACTION</b> see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. <b>PCT/EP 00/ 02673</b>	International filing date (day/month/year) <b>24/03/2000</b>	(Earliest) Priority Date (day/month/year) <b>01/04/1999</b>
Applicant <b>NORTEL MATRA CELLULAR</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 2 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**
  - a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
    - the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).
  - b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :
    - contained in the international application in written form.
    - filed together with the international application in computer readable form.
    - furnished subsequently to this Authority in written form.
    - furnished subsequently to this Authority in computer readable form.
    - the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
    - the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished
2.  **Certain claims were found unsearchable** (See Box I).
3.  **Unity of Invention is lacking** (see Box II).
4. With regard to the **title**,
  - the text is approved as submitted by the applicant.
  - the text has been established by this Authority to read as follows:
5. With regard to the **abstract**,
  - the text is approved as submitted by the applicant.
  - the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.
6. The figure of the **drawings** to be published with the abstract is Figure No. 4
  - as suggested by the applicant.
  - because the applicant failed to suggest a figure.
  - because this figure better characterizes the invention.

## INTERNATIONAL SEARCH REPORT

International Application No

EP 00/02673

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 H04Q7/38

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 H04Q H04B H04L

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, INSPEC

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 99 09779 A (QUALCOMM INC) 25 February 1999 (1999-02-25) page 12, line 4 - line 22 page 13, line 5 - line 30 page 21, line 1 -page 24, line 12 page 30, line 9 - line 31 ----	1,9, 15-17
A	WO 95 22857 A (MOTOROLA INC) 24 August 1995 (1995-08-24) page 8, line 20 -page 10, line 2 page 11, line 1 - line 8 -----	1,9, 15-17



Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

° Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"Y" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Z" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

25 July 2000

Date of mailing of the international search report

31/07/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl.  
Fax: (+31-70) 340-3016

Authorized officer

Baas, G

**INTERNATIONAL SEARCH REPORT**

Information on patent family members

International Application No

P 00/02673

Patent document cited in search report	Publication date	Patent family member(s)		Publication date
WO 9909779	A 25-02-1999	US 5923650	A	13-07-1999
		AU 9201398	A	08-03-1999
		EP 1005775	A	07-06-2000
WO 9522857	A 24-08-1995	CA 2158270	A	24-08-1995
		EP 0702863	A	27-03-1996
		FI 954623	A	29-09-1995
		IL 112334	A	16-08-1998
		JP 8509349	T	01-10-1996
		KR 181320	B	15-05-1999
		PL 311158	A	05-02-1996
		US 5734967	A	31-03-1998